

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl F. Edman, et al.

Serial No.: Not Assigned

Filed: Herewith

For: ELECTRONICALLY MEDIATED  
NUCLEIC ACID AMPLIFICATION  
IN NASBA

Group Art Unit: Not Assigned

Examiner: Not Assigned



INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies were previously provided by Applicant or cited by the Examiner in the parent of this application, U.S. Serial No. 09/290,338, filed April 12, 1999.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

OC-94157.1

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: EL622500693US  
Date of Deposit: October 9, 2001

  
Micheal A. Smith

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required. However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: October 9, 2001

By: 

Patrick S. Eagleman  
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LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.  
266/185

SERIAL NO.

APPLICANT:  
Carl F. Edman, et al.

FILING DATE:

GROUP:  
16561000 U.S. PTO  
09/974685

10/09/01

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	4,683,195	07/28/87	Mullis et al.	435	6	02/7/86
	AB	4,683,202	07/28/87	Mullis et al.	435	91	10/25/85
	AC	4,800,159	01/24/89	Mullis et al.	435	172.3	12/17/86
	AD	4,988,617	01/29/91	Landegren et al.	435	6	03/25/88
	AE	5,130,238	07/14/92	Malek et al.	435	91	08/23/89
	AF	5,202,231	04/13/93	Drmanac et al.	435	6	06/18/91
	AG	5,270,184	12/14/93	Walker et al.	435	91.2	11/19/91
	AH	5,380,489	01/10/95	Sutton et al.	422	68.1	02/18/92
	AI	5,422,252	06/06/95	Walker et al.	435	91.2	06/04/93
	AJ	5,455,166	10/03/95	Walker	435	91.2	01/09/92
	AK	5,470,723	11/28/95	Walker et al.	435	91.2	08/24/93
	AL	5,474,895	12/12/95	Ishii et al.	435	6	05/13/93
	AM	5,516,663	05/14/96	Backman et al.	435	91.2	04/19/93
	AN	5,545,531	08/13/96	Rava et al.	435	6	06/07/95
	AO	5,573,907	11/12/96	Carrino et al.	435	6	08/04/93
	AP	5,594,111	01/14/97	Stolowitz	530	391.1	01/28/94
	AQ	5,594,151	01/14/97	Stolowitz	548	542	01/28/94
	AR	5,605,662	02/25/97	Heller et al.	422	68.1	02/25/97
	AS	5,623,055	04/22/97	Stolowitz	530	391.1	01/28/94
	AT	5,624,825	04/29/97	Walker et al.	435	91.2	05/26/95
	AU	5,641,658	06/24/97	Adams et al.	435	91.2	08/03/94
	AV	5,648,211	07/15/97	Fraiser et al.	435	6	04/18/94
	AW	5,648,470	07/15/97	Stolowitz	530	391.1	06/07/95

EXAMINER:  
Jeffrey Siew

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 266/185	<b>SERIAL NO.</b>
	<b>APPLICANT:</b> Carl F. Edman, et al.	
	<b>FILING DATE:</b>	<b>GROUP:</b> 1656

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	BA	5,668,257	09/16/97	Stolowitz	530	391.1	06/07/95
	BB	5,668,258	09/16/97	Stolowitz	530	391.1	06/07/95
	BC	5,677,431	10/14/97	Stolowitz	530	391.1	06/07/95
	BD	6,017,696	01/25/00	Heller, et al.	435	6	07/07/94
	BE	6,066,461	5/23/00	McMillan, et al.			4/12/99

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	BF	0 320 308A2	14.06.89	EP (Biotechnica)				
	BG	95/35390	28.12.95	WO/PCT (Zhang)				
	BH	96/01836	25.01.96	WO/PCT (Nanogen)				
	BI	96/15271	23.05.96	WO/PCT (Carrino)				
	BJ	96/30546	10/3/96	WO/PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	BK	Bertina et al., "Mutation in blood coagulation factor V associated with resistance to activated protein C," <u>Nature</u> 369:64-67 (1994)
	BL	Chee et al., "Accessing Genetic Information with High-Density DNA Arrays," <u>Science</u> 274:610-614 (1996)
	BM	DeRisi et al., "Exploring the Metabolic and Genetic Control of Gene Expression on a Genomic Scale," <u>Science</u> 278:680-686 (1997)
	BN	DeRisi et al., "Use of a cDNA microarray to analyse gene expression patterns in human cancer," <u>Nature genetics</u> 14(4):457-460 (1996)
	BO	Edman et al., "Electric field directed nucleic acid hybridization on microchips," <u>Nucleic Acids Research</u> 25(24):4907-4914 (1997)
	BP	Guo et al., "Direct fluorescence analysis of genetic polymorphisms by hybridization with oligonucleotide arrays on glass supports", <u>Nucleic Acids Research</u> , 22(24):5456-5465 (1997)
	BQ	Guo et al., "Enhanced discrimination of single nucleotide polymorphisms by artificial mismatch hybridization," <u>Nature Biotechnology</u> 15(4):331-335 (1997)
	BR	Heller et al., Discovery and analysis of inflammatory disease-related genes using cDNA microarrays," <u>Proc. Natl. Acad. Sci. USA</u> 94:2150-2155 (1997)
	BS	Hughes et al., "Determination of the Etiology of presumptive Feline Leprosy by 16S rRNA Gene Analysis," <u>Journal of Clinical Microbiology</u> 35(10):2464-2471 (1997)

<b>EXAMINER:</b> Jeffrey Siew	<b>DATE CONSIDERED:</b>
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
CA	Linton et al., "PCR Detection, Identification to Species level, and Fingerprinting of Campylobacter jejuni and Campylobacter coli Direct from Diarrheic Samples," <u>Journal of Clinical Microbiology</u> 35(10):2568-2572 (1997)	
CB	Liu et al., "Molecular Detection of a Common Mutation in Coagulation Factor V Causing Thrombosis via Hereditary Resistance to Activated Protein C," <u>Diagnostic Molecular Pathology</u> 4(3):191-197 (1995)	
CC	Lockhart et al., "Expression monitoring by hybridization to high-density oligonucleotide arrays," <u>Nature Biotechnology</u> 14(13):1675-1680 (1996)	
CD	Malek et al., "Nucleic Acid Sequence-Based Amplification (NASBA™)", <u>Protocols for Nucleic Acid Analysis By Nonradioactive Probes</u> , <u>Methods in Molecular Biology</u> 28:253-260 (1994)	
CE	Milla et al., Use of the Restriction Enzyme Aval and Exo- Bst Polymerase in Strand Displacement Amplification," <u>BioTechniques</u> 24(3):392-395 (1998)	
CF	Robinson et al., "Molecular Recognition Mediated by Bound Water; A Mechanism for Star Activity of the Restriction Endonuclease EcoRI," <u>J. Mol. Biol.</u> 234:302-306 (1993)	
CG	Robinson et al., "Hydrostatic Pressure Reverses Osmotic Pressure Effects on the Specificity of EcoRI-DNA interactions," <u>Biochemistry</u> 33(13):3787-3793 (1994)	
CH	Robinson et al., "Heterogeneity in molecular recognition by restriction endonucleases: Osmotic and hydrostatic pressure effects on BamHI, Pvu II, and EcoRV specificity," <u>Proc. Natl. Acad. Sci. USA</u> 92:3444-3448 (1995)	
CI	Schena et al., "Quantitative Monitoring of Gene Expression Patterns with a Complementary DNA Microarray," <u>Science</u> 270:467-470 (1995)	
CJ	Schena et al., "Parallel human genome analysis: Microarray-based expression monitoring of 1000 genes," <u>Proc. Natl. Acad. Sci. USA</u> 93:10614-10619 (1996)	
CK	Sosnowski et al., "Rapid determination of single base mismatch mutations in DNA hybrids by direct electric field control," <u>Proc. Nat. Acad. Sci. USA</u> 94:1119-1123 (1997)	
CL	Southern et al., "Analyzing and Comparing Nucleic Acid Sequences by Hybridization to Arrays of Oligonucleotides: Evaluation Using Experimental Models," <u>Genomics</u> 13:1008-1017 (1992)	
CM	Southern et al., "Detection of Specific Sequences Among Dna Fragments Separated by Gel Electrophoresis," <u>J. Mol. Biol.</u> 98:503-517 (1975)	
CN	Southern et al., "DNA chips: analysing sequence by hybridization to oligonucleotides on a large scale," <u>TIG</u> 12(3):110-115 (1996)	
CO	Spargo et al., "Detection of M. tuberculosis DNA using Thermophilic Strand Displacement Amplification," <u>Molecular and Cellular Probes</u> 10:247-256 (1996)	
CP	Walker, "Empirical Aspects of Strand Displacement Amplification," <u>PCR Methods and Applications</u> 3(1):1-6 (1993)	
CQ	Woese, "Bacterial Evolution," <u>Microbiological Reviews</u> 51(2):221-271 (1987)	

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